

#8

FROM : CEO/ARMCHAIR WORLD

PHONE NO. : 310-477-4910

Feb. 04 2003 11:13AM P1

Chris Brunt & Gary Fisher
2240 Federal Avenue
Los Angeles, CA 90064
310-477-8960
310-477-4910 FAX

.....
facsimile transmittal

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FEB 04 2003

Technology Center 2800

Ms. Wynette Stapor
Arts Group 2837
USPTO
703-746-6880 Fax
703-306-5720 Voice

PAGE 1 OF 10

SUBJECT: Application No. 09/650,878

Dear Ms. Stapor,

As per our phone conversation today, I am faxing you documentation regarding the Notice of Abandonment dated 01/30/03 from Examiner Bentsu Ro. Apparently Examiner Ro was unaware that we paid a balance fee of \$42.00 for excess claims on August 6, 2002 -- well within the 30 day time period from the date of Notice of Fee Deficiency mailed to us on August 1, 2002.

The following documentation is attached:

1. Notice of Abandonment dated 01/30/2003 (2 pages);
2. Transmittal Form dated 08/06/02 (1 page);
3. Fee Transmittal for FY 2002 dated 08/06/02 (1 page);
4. Certificate of Mailing dated 08/06/02 and sales receipt from USPS (1 page);
5. front and back of check for \$42.00 dated 08/06/02 with USPTO cancellation dated 08/14/02 (2 pages); and,
6. front and back of postcard with Patent and Trademark Office stamp dated 08/12/02. (2 pages).

I appreciate your attention to this matter. If you need further information, please call me at 310-477-8960.

Sincerely,


Gary Fisher

FROM : CEO/ARMCHAIR WORLD

PHONE NO. : 310+477+4910

Feb. 04 2003 11:13AM P2



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20251
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,878	08/30/2000	Chris S. Brunt		2147

7590 01/30/2003

Chris Brunt Gary Fisher
2240 Federal Ave
Los Angeles, CA 90064

EXAMINER

RO, BENTSU

ART UNIT

PAPER NUMBER

2837

DATE MAILED: 01/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment	Application No.		Applicant(s)	
	09/650,878		BRUNT ET AL.	
	Examiner		Art Unit	
	Bentsu Ro		2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 17 January 2002.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☒ A reply was received on 17 July 2002 but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

 Applicant has filed a reply on 7/17/2002, however, applicant has failed to pay a balance fee (\$42.00) for the excess claims. As a result, the amendment filed on 7/17/2002 has not been entered.

Bentsu Ro
Bentsu Ro
Primary Examiner

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/650,878	
	Filing Date	30 AUGUST 2000	
	First Named Inventor	CHRIS S. BRUNT	
	Group Art Unit	2837	
	Examiner Name	BENJSSO RO	
Total Number of Pages in This Submission	2	Attorney Docket Number	

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <div style="text-align: right; font-size: 1.2em; font-weight: bold;">RECEIVED</div> <div style="text-align: right; font-size: 1.1em;">FEB 05 2003</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	CHRIS S. BRUNT
Signature	<i>Chris S. Brunt</i>
Date	6 AUGUST 2002

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 6 AUGUST 2002		
Typed or printed name	CHRIS S. BRUNT	Date
Signature	<i>Chris S. Brunt</i>	6 AUGUST 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 42.00)

Complete if Known

Application Number	<u>09/650,878</u>
Filing Date	<u>30 AUGUST 2000</u>
First Named Inventor	<u>CHRIS S. BRUNT</u>
Examiner Name	<u>BENTSO RO</u>
Group Art Unit	<u>2837</u>
Attorney Docket No.	

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number _____
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The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent	Multiple Dependent	-20**	-3**	X	X		
<u>4</u>			<u>1</u>			<u>42</u>	<u>42</u>

*** or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for or parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	820	217	400	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to Institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(a)	
128	180	128	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
148	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	800	169	900	Request for expedited examination of a design application	
Other fee (specify): _____					
SUBTOTAL (3)					(\$)

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print Type)	<u>CHRIS S. BRUNT</u>	Registration No.	
Signature	<u>[Signature]</u>	(Attorney/Agent)	

Telephone 310-477-8960
Date 6 AUGUST 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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FROM : CEO/ARMCHAIR WORLD

PHONE NO. : 310+477+4910

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Feb. 04 2003 11:25AM P3

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MEMO Excess claim fee Appn. 09/630,870

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Feb. 04 2003 11:27AM P5

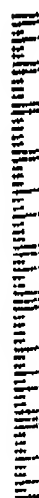


Coated Ceramic National Park, NM



CHRIS S. BRUNT & GARY R. FOTHER
2240 FEDERAL AVE
LOS ANGELES, CA 90064

300644404



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PHONE NO. : 310+477+4910

Feb. 04 2003 11:27AM P6

RECEIVED IN PATENT OFFICE MAILROOM ON THE DATE
STAMPED HEREON FOR APPN. NO. 09/650,878 "KINETIC
CONTROL FOR GENERATING DYNAMICALLY CHANGING
FLOW PATTERNS", ERIC S. BLUNT & GARY R. PLYMER,
INVENTORS;
1 PAGE TRANSMITTAL FOR 58/21, 1 PAGE
FEE TRANSMITTAL BR FY 2002, 58/17, AND
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